

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

IN RE: REGIONS MORGAN KEEGAN)	
SECURITIES, DERIVATIVE, AND)	
ERISA LITIGATION)	
)	
ELIZABETH P. WILLIS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case Nos. 07-02830
)	MDL 2009
MORGAN KEEGAN & CO., INC., et)	
al.)	
)	
Defendants.)	

ORDER DENYING PLAINTIFF C. FRED DANIELS' MOTION TO SEVER AND
ESTABLISHING DEADLINE FOR MOTIONS TO SERVE AS LEAD PLAINTIFF

Before the Court is the February 17, 2010, Motion to Sever filed by Plaintiff C. Fred Daniels, trustee ad litem for a series of trusts managed by Defendant Regions Bank. (See Dkt. No. 139.) Defendants filed a collective response in opposition on March 4, 2010, to which Daniels replied on March 18, 2010. (See Dkt. Nos. 140, 148.) Plaintiff's Motion seeks to relitigate this Court's August 26, 2009 Order consolidating Plaintiff's litigation into the already-existing In re Regions Morgan Keegan Closed-End Fund Litigation case. See Daniels v. Morgan Keegan & Co., Nos. 08-2452, 08-2454, 08-2455, 08-2456, 2009 U.S. Dist. LEXIS 76152, at *6 (W.D. Tenn. Aug. 26, 2009).

Because Plaintiff's Motion provides no reason for the Court to reconsider its prior Order, the Motion to Sever is DENIED.

Plaintiff's Motion alternatively requests that the Court designate him as lead plaintiff for the consolidated Closed-End Fund Litigation. (Plaintiff's Motion to Sever Trustee Ad Litem's Class Actions or Appoint Lead Counsel ¶ 9.) Two other plaintiffs' groups have responded in opposition, each arguing that the Court should appoint it as lead plaintiff instead. (See Dkt. Nos. 151, 156.) A lead plaintiff and corresponding lead counsel should be appointed. Therefore, all parties interested in serving as lead plaintiff for the Closed-End Fund Litigation have until July 2, 2010, to file motions requesting appointment. Those parties who have already moved to serve as lead plaintiff need not refile their Motions. Any responses to motions shall be filed no later than July 16, 2010, and any replies must be filed no later than July 30, 2010. Thereafter, the Court will appoint a lead plaintiff and lead counsel.

So ordered this 2d day of June, 2010.

s/ Samuel H. Mays, Jr.
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE